

SUBSTITUTE FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

12090-004US1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/509713INTERNATIONAL APPLICATION NO.
PCT/US03/10140INTERNATIONAL FILING DATE
2 April 2003PRIORITY DATE CLAIMED
4 April 2002TITLE OF INVENTION
TEMPERATURE-CONTROLLED ACTUATORAPPLICANT(S) FOR DO/EO/US
Eric D. Mathews and Paul J. Dobson

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

CERTIFICATE OF MAILING BY EXPRESS MAIL
 Express Mail Label No. EV 382036501US
 Date of Deposit: October 1, 2004

U.S. APPLICATION NO. (if known) see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/US03/10140	ATTORNEY'S DOCKET NUMBER 12090-004US1		
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
Basic National Fee (37 CFR 1.492 (a) (1) - (5)):				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1080				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$920				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$770				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$730				
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100				
ENTER APPROPRIATE BASIC FEE AMOUNT = <input type="text" value="\$770.00"/>				
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="text" value="\$0.00"/>				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	30 - 20 =	10	x \$18	\$180.00
Independent Claims	2 - 3 =	0	x \$86	\$0.00
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$290	\$0.00
TOTAL OF ABOVE CALCULATIONS =			\$950.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$475.00	
SUBTOTAL =			\$475.00	
Processing fee of \$130 for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))			\$0.00	
TOTAL NATIONAL FEE =			\$475.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$0.00	
TOTAL FEES ENCLOSED =			\$475.00	
			Amount to be refunded:	\$
			charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$475.00 to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:				
				
SIGNATURE				
Faustino A. Lichauco				
NAME				
41,942				
REGISTRATION NUMBER				